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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 2:23-cv-07413-JLS-E

Date: September 15, 2023

Title: Hunter Nation v. Samsung Electronics America, Inc.

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Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

Gabby Garcia  
Deputy Clerk

N/A  
Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendant:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE REMANDED TO LOS ANGELES  
COUNTY SUPERIOR COURT**

Plaintiff Hunter Nation filed this action pro se in Los Angeles County Superior Court. (Compl., Doc. 1-1, Ex. A.) Defendant Samsung Electronics America, Inc. removed this action under 28 U.S.C. § 1441(a), asserting that this Court has diversity jurisdiction. (Notice of Removal, Doc. 1.)

Where a defendant removes on the basis of diversity jurisdiction, “the sum demanded in good faith in the initial pleading [*i.e.*, the plaintiff’s state-court complaint] shall be deemed to be the amount in controversy.” 28 U.S.C. § 1446(c)(2); *Ibarra v. Manheim Invs., Inc.*, 775 F.3d 1193, 1197 (9th Cir. 2015). But “[b]ackground principles of law indicate that ‘good faith’ allegations must be consistent with plausibility pleading standards,” so courts will “not accept as true allegations that are merely conclusory, unwarranted deductions of fact, or unreasonable inferences.” *Licea v. Caraway Home Inc.*, No. EDCV 22-1791 JGB (SHKx), 2023 WL 1999496, at \*6 (C.D. Cal. Feb. 9, 2023); *see also Petkevicius v. NBTY, Inc.*, No. 3:14-cv-02616-CAB (RBB), 2017 WL 1113295, at \*4 (S.D. Cal. Mar. 24, 2017) (“[S]imply stating . . . the amount in controversy . . . without any specific factual allegations as to the actual amount sought by the plaintiffs does not constitute a good faith allegation . . .”). Here, the plaintiff’s pro

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se complaint alleges, without any underlying factual support, that he is entitled to \$100 trillion in damages for “emotional” and “physical” harms. (Compl., Doc. 1-1, Ex. A at 10). This unsupported, fanciful allegation is not a good faith assertion of the amount in controversy that the Court must credit.

Accordingly, Defendant was obligated to “mak[e] a plausible assertion of the amount at issue in its notice of removal.” *Moe v. GEICO Indem. Co.*, 73 F.4th 757, 761 (9th Cir. 2023). “[T]he defendant’s amount-in-controversy allegation should be accepted when not contested by the plaintiff *or questioned by the court.*” *Moe v. GEICO Indem. Co.*, 73 F.4th 757, 761 (9th Cir. 2023) (quoting *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 87 (2014)). Here, Defendant did not make a plausible amount-in-controversy allegation and instead just recited the above-disregarded allegation of \$100 trillion of damages made in Plaintiff’s complaint. (Notice of Removal, Doc. 1 ¶ 12.)

Given the paucity of information in the record concerning Plaintiff’s causes of action, bases for damages, and harms allegedly suffered, the Court sua sponte questions whether the amount-in-controversy requirement is satisfied here. *See Moe*, 73 F.4th at 761–62. Defendant, therefore, bears “the burden to show that the amount-in-controversy requirement is met by a preponderance of the evidence.” *Id.* at 762.

Defendant is ORDERED to show cause, in writing, no later than **seven (7) days** from the date of this Order, why the Court should not remand this action to Los Angeles County Superior Court. Plaintiff has **seven (7) days** thereafter to submit any response. No further briefing is permitted. Following submission of the parties’ briefing, which shall not exceed **ten (10) pages**, the matter will be deemed under submission and the Court will thereafter issue an order.

Initials of Deputy Clerk: gga